

REMARKS

In the Office Action, Claims 1-9 have been rejected under 35 U.S.C. §103. Claims 4 and 5 have been amended; claims 1-3 have been canceled without prejudice or disclaimer; Claims 11-17 have been newly added; and the specification has been amended. Applicants believe that the rejection has been overcome or is improper in view of the amendments and/or for the reasons set forth below.

At the outset, Applicants are submitting herewith a request for approval of drawing changes relating to Figure 6. Support for this change can be found in the specification, for example, on page 10 at lines 3 to 5. Applicants respectfully submit that they will provide a formal drawing with respect to Figure 6 upon approval of the drawing changes.

Further, Applicants have amended the specification including the title. Applicants believe that the specification provides sufficient support for such amendments. Applicants note that the changes to the specification are meant for clarification purposes and thus Applicants submit that such changes should not be deemed as having a narrowing effect on the scope of the claimed subject matter.

Applicants have also amended claims 4 and 5. In this regard, Applicants believe that these amendments do not narrow the scope of the claimed subject matter. Applicants do not intend to surrender or disclaim any claimed subject matter in view of same.

In the Office Action, Claims 1-9 are rejected under 35 U.S.C. §102 in view of U.S. Patent No. 5,880,743 ("Moran"). The Patent Office essentially asserts that *Moran* discloses each and every feature of the claimed invention. Applicants believe that this rejection has been overcome for the reasons set forth below.

At the outset, claims 1-3 have been canceled and thus this rejection should be rendered moot with respect to these claims. Of the pending claims at issue, claims 4, 6, 7 and 8 are the sole independent claims. Claims 10-17 have been added as previously discussed. Of the added claims, claims 10 and 15 are the sole independent claims.

Claims 4, 6 and 7 each relate to a portable computer; claim 8 relates to a coordinate position input apparatus; claim 10 relates to a portable information processing apparatus; and claim 15 relates to a method for operating a portable information processing apparatus. The portable computer as defined in claims 4, 6 and 7 requires, in part, a frame which can be grasped

by a user's hand and a touch panel formed on the upper surface of the frame. Claims 6 and 7 further recite a predetermined area on the touch panel in the vicinity of a region where a user's thumb is positioned. Claim 8 recites, in part, a touch panel for outputting a coordinate data of a middle point when two points are simultaneously touched and calculation means for calculating a coordinate of one of the two touch points assumed to be a moving point by subtracting a coordinate position of a previous fixed point from a current middle point coordinate multiplied by 2. The portable information processing apparatus in claim 10 recites a touch-sensitive display panel and means for detecting a first touch point on the touch-sensitive display panel wherein the first touch point determines execution of a first process. Claim 10 further recites means for detecting a second touch point of a touch-sensitive display panel if the first touch point remains indicated on the touch-sensitive display panel when the second touch point is indicated wherein the second touch point determines execution of a second process that is dependent on execution of the first process. Claim 15 is similar to claim 10 except that it is presented in method format.

In contrast, Applicants believe that the *Moran* reference fails to disclose or arguably suggest a number of features of the claimed invention. At the outset, the *Moran* reference does not relate to a hand-held portable computer that has an operable touch panel as required by claims 4, 6 and 7. In this regard, the emphasis of *Moran* relates to a system which portrays user-specified editing operations by animating the operations as graphical transformations of the data being edited. See, column 2, lines 64-67. Indeed, *Moran* merely makes reference to pen-based notebook computers or a large scale display known as a LiveBoard®, for example. See, column 1, lines 38-42. This clearly contrasts the hand-held portable computer features as required by the claimed invention, such as a predetermined area on the touch panel in the vicinity of a region where a user's thumb is positioned when he or she grasps the portable computer as required by claim 6 and 7.

With respect to claim 7, the Patent Office relies on the alleged teachings of *Moran* that relate to means to interpret the user's stroke as a command as disclosed at column 7 in lines 35-40. However, a stroke necessarily involves more than two processes, such as at least detecting the point of touch, detecting movement or direction of the point and detecting the point at which the panel is released. In contrast, the present invention provides that it is sufficient to detect the

first and second point while the first point is indicated and regardless of the movement of the first point.

With respect to claim 8, the Patent Office relies on the alleged teachings of *Moran* that relate to an x-y detection circuit which detects the x, y coordinates of the input point as disclosed at column 5 in lines 54-56. However, this fails to disclose or suggest calculating a point on the panel as a function of two other points, the conditions of calculating same, and how and why it is so necessary to calculate a point in function of another. Indeed, claim 8 recites, in part, calculation means for calculating a coordinate of one of the two touch points assumed to be a moving point by subtracting a coordinate position of a previous fixed point from a current middle point coordinate multiplied by two.

Moreover, *Moran* fails to define an operation by using two interrelated touch points. Indeed, this reference relates to a whiteboard where there is no requirement for space in terms of shifting functions while displaying an available function for execution. In this regard, *Moran* merely discloses a gesture operation, such as moving or dragging a selected item performed by drawing a line gesture that is determined by moving a single point over the panel as disclosed as column 12, line 45 to column 13, line 19. Such gesture line as disclosed in *Moran* clearly contrasts the claimed invention as there is no calculation regarding the relationship between two designated points. In this regard, selection of a second point merely defines another operation that is not related to the previously selected points. Moreover, *Moran* fails to define execution of a more complex operation by combining the selection of two points again in contrast with the claimed invention.

For example, claim 10 recites a portable information processing apparatus that includes a touch-sensitive display panel with means for detecting a first and second touch point on the display panel. The first touch point determines execution of a first process where the second touch point determines execution of second process dependent on execution of the first process. Further, the second touch point can be detected if the first touch point remains indicated on the touch-sensitive display panel when the second touch point is indicated. Illustrative of the claimed invention are examples disclosed in the specification, for example, in Fig. 5 and the corresponding written text as disclosed on page 9 and the flow chart in Fig. 6 as further discussed on pages 9 and 10 on the specification. In this regard, the switching and execution operations

can be carried out on the touch-sensitive display panel. This means that the operation can be performed with simultaneous visual and tactile interaction by using the same physical area or space. This is particularly beneficial for portable, handheld devices that have extremely limited space, yet have an ever increasing number of available functions.

Based on at least these noted differences between the claimed invention and the cited art, Applicants do not believe that *Moran* discloses or arguably suggests at least a number of features of the claimed invention. Therefore, Applicants believe that *Moran* fails to anticipate or arguably render obvious the claimed invention.

Accordingly, Applicants respectfully request that the anticipation rejection be withdrawn.

For the foregoing reasons, Applicants respectfully submit that the present application is now in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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